

**GOVERNMENT OF ANDHRAPRADESH
ABSTRACT**

Public Servants – Prohibition & Excise Department – Allegation of Criminal Misconduct against Sri K.Jayasimha Chowdary, P&E Inspector, for his involvement in two liquor syndicate cases along with other P&E officials pertaining to Visakhapatnam District – Two cases entrusted to Tribunal for Disciplinary Proceedings – W.P.No. 16258 of 2021 filed by Sri K.Jayasimha Chowdary, P&E Inspector challenging the charge memos issued by the TDP in TEC Nos.360 and 373 of 2013 – TDP repealed, Cases entrusted to CoI – Inquiries not completed within time prescribed – Hon'ble High Court orders dated 24.02.2023 in W.P.No. 16258 of 2021 Implemented – Further action dropped against Sri K.Jayasimha Chowdary, P&E Inspector – Orders – Issued.

REVENUE (VIGILANCE.IV) DEPARTMENT

G.O.RT.No. 863

Dated: 06-12-2024

Read the following:

1. From the D.G., ACB, Lr.Rc.No.69/RCO-WSP/2012, dated:12.11.2012 (Cr.No.5/RCO-ACB-VSP/2012).
2. From the D.G., ACB, Lr. Rc.No.13/RCO-VSP/2012, dated 19.10.2012 (Cr.No.3/RCO-VSP/2012).
3. Govt. Memo.No.51872/Vig.V(2)/2012-1, dated:16.01.2013.
4. Govt. Memo.No.48014/Vig.V(2)/2012-1, dated:16.01.2013.
5. Tribunal for Disciplinary Proceedings Charge Memos in TEC Nos.360 and 373 of 2013.
6. Hon'ble High Court orders dated 24.02.2023 in 16258 of 2021 filed by Sri K.Jayasimha Chowdary, P&E Inspector.
7. Act 29 of 2022 to repeal the Andhra Pradesh Civil Services (Disciplinary Proceeding Tribunal) Act, 1960 and to provide for matters connected therewith or incidental thereto published in A.P.Gazettee, Part-IV-B Extraordinary No.29, Amaravati, dt.22.12.2022.
8. G.O.Ms.No.98, GA (Ser.E) Dept, dtd 18.08.2023.
9. G.O.Rt.No.378, Rev (Vig.IV) Dept, dtd 18.04.2023.
10. G.O.Rt.No.382, Rev (Vig.IV) Dept, dtd 18.04.2023.
11. From GA (CoI-JS) Dept, U.O.Note No.129/COI-JS-2023, dtd 10.07.2023.
12. Govt. U.O.Note No.51872/Vig.V(2)/2012-Part(1), Rev (Vig.IV) Dept, dtd 27.09.2023.
13. Govt. Memo.No.51872/Vig.V(2)/2012-Part(1), dtd 01.02.2024.
14. Sri R.P.Thakur, IPS (Retd.), Member, COI vide D.O.Lr. No.109/COI-RPT/2023, dated 31.07.2023 along with inquiry report.
15. G.O.Rt.No.1109, GA (SC.F) Dept, dtd 24.06.2024.
16. Contempt Case No CC 4164/2024 in WP No.16258 of 2021 filed by Sri K.Jayasimha Chowdary, P&E Inspector.

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ORDER:

In the reference 1st & 2nd read above, the Director General, Anti- Corruption Bureau has furnished reports on certain allegations against Prohibition & Excise Ofcers involved in two liquor syndicate cases pertaining to Visakhapatnam district including Sri K.Jayasimha Chowdary, P&E Inspector. While he was working as Excise Inspector, involved in two liquor syndicate cases as A.O.14 & 09 along with other Prohibition & Excise officials in crime Nos. Cr.No.5/RCO-VSP/2012 & Cr.No.3/RCO-VSP/2012 respectively. The Director General, Anti-Corruption Bureau has recommended for placing on his defence before Tribunal for Disciplinary Proceedings among others in two cases.

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2. In the reference 3rd & 4th read above, Government was placed Sri K.Jayasimha Chowdary, P&E Inspector on his defence before TDP among others in two cases and issue Charges against Sri K.Jayasimha Chowdary, P&E Inspector in two cases by the TDP vide reference 5th read above.

3. Whereas Sri K.Jayasimha Chowdary, P&E Inspector was filed W.P.No.16258 of 2021 before the Hon'ble High Court challenging two charge memos and prayed for the action of respondents not concluding the disciplinary proceedings initiated vide TEC No 360 of 2013, Dt 30.08.2018 and TEC No 373 of 2013 Dt.26.10.2018.

4. And whereas, the Government repealed the TDP and the cases pending before the Tribunal were transferred to the COI vide reference 7th & 8th read above. These consequences have been placed before the Hon'ble High Court by filing counter affidavit.

5. In the reference 6th read above, the Hon'ble High Court in its orders dated 24.02.2023 in W.P.No.16258 of 2021 by disposing the above W.P. has passed the following orders (operative portion):

“Considering the facts and circumstances of the case and in view of the above discussion, the Commissionerate of Inquiries (Respondent No.2) is directed to conclude the enquiries, within a period of six months from today, failing which the charge memo issued to the petitioner vide Tribunal Enquiry Case Nos.373 and 360 of 2013, which were transferred to the C.O.I, pursuant to G.O.Ms.No.98, dated 18.8.2022 shall stand quashed ”

6. In the reference 9th & 10th read above, Sri J.Satyanarayana, IPS (Retd.), Member, COI and Sri R.P.Thakur, IPS(Retd), Member, COI appointed as Inquiring Authorities in the two cases (TEC No. 360 of 2013 and TEC No 373 of 2013) of Sri K.Jayasimha Chowdary, P&E Inspector along with other P&E officials for conducting inquiry with direction to submit the inquiry report to the Government within 4 months. Presenting Officers in both cases appointed. The IA (COI-RPT) has submitted the Inquiry report in the reference 14th cited. As per the findings of IA, the charges framed against Sri K.Jayasimha Chowdary held not proved. Further, as the tenure of Sri J.Satyanarayana IPS (Retd) was completed by 15.05.2024, GA (CoI-R) Dept's have entrusted the case to Sri G.Mallikarjuna, IRS (Retd), Member, COI. However, Sri G.Mallikarjuna, IRS (Retd), has tendered his resignation. The General Administration (SC.F) Department have accepted his resignation vide reference 15th read above.

7. Whereas, Sri K.Jayasimha Chowdary, P&E Inspector, has filed Contempt Case No. 4164 of 2024 praying that the Hon'ble Court may be pleased to summon the respondents for committing contempt of orders of the Hon'ble Court passed in W.P. No. 16258 of 2021, dated 24.02.2023 passed by the Hon'ble Single Judge under section 10 to 12 of Contempt of Courts Act and pass such other order or orders as Hon'ble Court may deem fit and proper in the circumstances of the case.

8. Government after careful examination of the entire matter has observed that as per the Hon'ble High Court orders, the inquiries were to be completed within six months, failing which the Charge Memos issued in TEC No.360 & 373 of 2013 shall stand quashed. Further, the charges framed against Sri K.Jayasimha Chowdary, held not proved in one case and in another case the inquiry is yet to be completed. Since the inquiry is not completed within the prescribed time frame, the charge memo has been automatically been quashed as per the Hon'ble High Court's orders. Accordingly, in accordance with the orders of the Hon'ble High Court, Government

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here by order to implement the orders dated 24.02.2023 of Hon'ble High Court passed in W.P.No.16258 of 2021 and drop further action against Sri K.Jayasimha Chowdary, P&E Inspector (presently working as Depot Manager, APSBCL, IMFL Depot, Etcherla, Srikakulam district) in two departmental cases.

9. The Commissioner of Prohibition and Excise shall take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**MUKESH KUMAR MEENA
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Sri K.Jayasimha Chowdary, P&E Inspector (presently working as Depot Manager, APSBCL, IMFL Depot, Etcherla, Srikakulam district) through Commissioner, Prohibition and Excise, Andhra Pradesh, Mangalagiri.

The GA (COI-R) Department, Building No.5, A.P. Secretariat, Velagapudi.

The Commissioner of Prohibition and Excise, Andhra Pradesh, Mangalagiri.

Copy to:

The Director General, Anti-Corruption Bureau, Andhra Pradesh, Vijayawada.

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Andhra Pradesh Secretariat, Velagapudi.

The Government Pleader for Services, Andhra Pradesh High Court, Amaravathi.

Sc/Sf.

//FORWARDED::BY ORDER//

SECTION OFFICER